

REMARKS

This responds to the Office Action dated September 18, 2003. Claims 22 and 23 are pending and have been amended.

The Examiner rejected claims 22 and 23 under 35 U.S.C. 112. Applicants amended the claims in order to overcome the Examiner's rejections. Applicants appreciate the Examiner's identification of these inadvertent non-substantive issues.

The Examiner also rejected claims 22 and 23 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,160,342 to Reger et al. The Examiner asserted that Reger "[discloses a] vascular filter guide wire 36 insertable and steerable through the vasculature..., the guide wire including a collapsible filter 10 for manual deployment... downstream of the catheter. As to claim 23, Reger, in figures 13 and 14, [discloses] a vascular filter guide wire 110, 112, including core wire 124, ...shaft 114 and collapsible filter 110 coupled at one end to said shaft (by members 118) and at the other end to the core wire 124..."

Claim 22 has been amended to recite that "wherein said filter is directly connected to said guide wire and said manual deployment of the filter occurs based on movement of said guide wire with a direct connection to said filter." Claim 23 has been amended to recite that the filter is directly connected to the core wire and the shaft. Support for these amendments is in the pending specification as follows: "[o]f relative importance is the feature that avoids any additional control wires, beyond the guide wire itself, in order to expand and retract the filter" (the specification, page 13, lines 2-5).

In contrast, in the Reger Figs. 13 and 14 as well as Fig. 15 filter embodiments, the guide wire is connected to flexible tension supports 118 (Figs. 13 and 14; col. 10, line 10) and support member 172 (Fig. 15; col. 11, lines 25-35). The support members are additional control wires which must be released from tension in order to expand the filter (see col. 10, lines 40-47) and which must be tensioned in order to collapse the filter (see col. 10, lines 48-60). In contrast, as more clearly recited in claims 22 and 23, the inventive guide wire is directly connected to the

inventive filter so that movement of the guide wire components alone is operable to expand and retract the filter. As a result, the number of components to expand and retract the filter is reduced, thereby reducing the number of overall parts to effectuate the collection of particulate matter. In view of the foregoing, Reger does not teach at least one element of each of claims 22 and 23. As a result, applicants respectfully assert that the 102(b) rejection based on Reger has been overcome and request that it be withdrawn.

In view of the above amendments and remarks, amended claims 22 and 23 are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

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Respectfully submitted,

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